



CUNNINGHAME  
HOUSING ASSOCIATION

*More than just a landlord*

# Board of Management Minutes

**Date of Meeting: 3<sup>rd</sup> February 2022**

Please note that these minutes have been edited to remove any information relating to personal/confidential/commercially sensitive or of a personal nature.

# CUNNINGHAME HOUSING ASSOCIATION LTD

Minutes of Board of Management Meeting

Held on Thursday 3<sup>rd</sup> February 2022 at 2.15 pm in the Association's Quayside Offices,  
Marina Quay, Dock Road, Ardrossan KA22 8DA



Present	In Attendance
John Kelly (Chair) Lesley Keenan Janet Strang John Nisbet Elizabeth Shedden John McLaren Councillor Jim McMahon (MS Teams) Brenda Johnstone Liam Loudon Margaret Davison Drew Hall June Fenelon	Frank Sweeney, Group Chief Executive Joe Dewar, JWD Asset Services Ltd Kirsteen Wyllie, Minute Secretary

PRIORITY RED – SECTION 1 – STANDING ORDER ITEM AND GOVERNANCE ITEMS		ACTION
1.	<b>Apologies</b> Apologies were received from Brian McCabe, Willie Gibson and Councillor Jimmy Miller.	
2.	<b>Chairperson's Remarks</b>  1 The Chair asked all Members to ensure that their mobile phones are switched off. 2 As there were confidential items on the Agenda the Chair read out the following confidentiality statement:  <b>In compliance with the Regulatory Code of Governance and Board Members' Code of Conduct all items detailed in this notice as being confidential should not be discussed with any external party either prior to or after said meeting by any Member of the Board of Management.</b>  <b>All members should note that when the Group CEO/Executive Directors/Officers are giving or presenting their report that there will be no interruptions to allow them to finish their reports. Questions can be asked after the presentation.</b>  3 The Chair informed all members that they will have received their invite to the 300 <sup>th</sup> Tenant new build property event that has been arranged for Wednesday 16 <sup>th</sup> March 2022 at the Association's Hallmeadow site in Annan. The Chief Executive advised members that it would be a milestone event and Dumfries & Galloway's Housing Convenor, Councillor Archie Dryburgh will be in attendance. 4 The Group CEO informed members of 2 upcoming Awards that the Association are Headline sponsors for – the Dumfries & Galloway Business Awards 2022 on Friday 1 <sup>st</sup> April and the Dumfries & Galloway Life Magazine Awards 2022, both taking place in Easterbrook Hall, Dumfries. It is likely that names will be drawn from a hat, for both members and staff.	CEO

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<b>PRIORITY RED – SECTION 1 – STANDING ORDER ITEM AND GOVERNANCE ITEMS</b>			<b>ACTION</b>
2.	<p>5 The Group CEO advised members that the current external Auditors, French Duncan notified the Association that they are unable to carry out the Audits this year for CHA, CFRC and Citrus Energy due to capacity issues. The Group CEO contacted French Duncan to request official notification of their resignation to allow him to inform the Board of Management and subsequently SHR, OSCR and Companies House, given it is a notifiable event and presents a serious issue, where potentially an extension on the Audit may be required. The Executive Director of Finance &amp; Corporate Services has contacted the Association's internal Auditors, Wylie &amp; Bissett to seek any recommendations on a potential replacement, given the timing of the external audit that is due to take place. The Board of Management agreed with this course of action and the Group CEO advised members that they will be kept up to date with any progress made.</p> <p>6 The Chair informed members that item 17, Regulatory Compliance Review Report, will be presented by Joe Dewar, JWD Asset Services Ltd after Requirement of the Writing (Scotland) Act 1995 to allow Joe to leave the meeting.</p>		CEO
3.	<p><b>Declaration of Interest</b> None</p>		
4.	<p><b>Requirement of the Writing (Scotland) Act 1995</b> None</p>		
17.	<p><b>CHA (Tenants Health &amp; Safety Audit) Report</b> Joe Dewar of JWD Asset Services Ltd referred members to the previously circulated report which provided an update on progress of the ongoing Regulatory Compliance Review which details where CHA meets and complies to requirements within social housing compliance and where actions may still be required.</p> <p>Joe Dewar proceeded to go over the report and Action Plan in detail highlighting that in terms of CHA's compliance position there is a total of 31 areas for full compliance that's needs to be achieved and CHA has full compliance in 26 areas (84%). The 5 non-compliance areas (16%) are highlighted and will be given priority and a programme of delivery developed by the Head of Asset Management &amp; Repairs and implemented.</p> <p>Joe Dewar highlighted that there are different factors that are contributing to the non-compliant areas such as not getting access to properties and tenants fear of Covid. Members suggested that it may be a good idea for the CHA to create a video and make it available to tenants to view and this may assist with gaining access if tenants can see work that is required beforehand and how it may not cause upset that they anticipated. The Group CEO commented that it is a good idea and that he would suggest it to the new Executive Director of Housing who can look into this, and the video could then be posted on CHA's website for tenants to view.</p>		<p>HAMR</p> <p>EX Dir H&amp;PS</p>

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17.	<p>Joe Dewar continued to explain to members that the Association had recently received a Tenant health &amp; safety assurance survey from the Scottish Housing Regulator which was completed by The Group CEO, CHA’s Health &amp; Safety Manager and Joe Dewar. The Group CEO commented that it was a good return for CHA who are in an excellent position moving forward due to the Association having the Compliance Review and the Tenant Health &amp; Safety Audit previously reported on at this meeting done last year.</p> <p><b>The Board of Management agreed the following:</b></p> <ul style="list-style-type: none"><li>• A copy of the report will be issued to the Tenant Scrutiny Group and Registered CHA Tenant/Resident Groups</li><li>• Progress of the Tenant Health &amp; Safety Audit will be presented to the Board in 6 months’ time and then 6 monthly governance reports on the Action Plan</li></ul> <p><b>The Board noted.</b></p>		CEO  CEO																																													
5.	<p><b>Adoption of Minutes and Business Arising from same</b></p> <table><tr><td><b>Meeting</b></td><td><b>Proposed</b></td><td><b>Seconded</b></td></tr><tr><td>Board of Management Meeting <b>24<sup>th</sup> November 2021</b></td><td>John Nisbet</td><td>June Fenelon</td></tr><tr><td colspan="3">Matters Arising: None.</td></tr></table> <table><tr><td><b>Meeting</b></td><td><b>Proposed</b></td><td><b>Seconded</b></td></tr><tr><td>Special Board of Management Meeting <b>(CONFIDENTIAL)</b> <b>16<sup>h</sup> December 2021</b></td><td>Janet Strang</td><td>Margaret Davison</td></tr><tr><td colspan="3">Matters Arising: None.</td></tr></table> <table><tr><td><b>Meeting</b></td><td><b>Proposed</b></td><td><b>Seconded</b></td></tr><tr><td>Special Board of Management Meeting <b>(CONFIDENTIAL)</b> <b>20<sup>th</sup> January 2022</b></td><td>John Nisbet</td><td>Brenda Johnstone</td></tr><tr><td colspan="3">Matters Arising: None.</td></tr></table> <table><tr><td><b>Meeting</b></td><td><b>Proposed</b></td><td><b>Seconded</b></td></tr><tr><td>Finance &amp; Corporate Services Sub Committee <b>(CONFIDENTIAL)</b> <b>9<sup>th</sup> December 2021</b></td><td>Drew Hall</td><td>Elizabeth Shedden</td></tr><tr><td colspan="3">Matters Arising: None.</td></tr></table> <table><tr><td><b>Meeting</b></td><td><b>Proposed</b></td><td><b>Seconded</b></td></tr><tr><td>Finance &amp; Corporate Services Sub Committee <b>(NON-CONFIDENTIAL)</b> <b>9<sup>th</sup> December 2021</b></td><td>Drew Hall</td><td>Elizabeth Shedden</td></tr><tr><td colspan="3">Matters Arising: None.</td></tr></table>			<b>Meeting</b>	<b>Proposed</b>	<b>Seconded</b>	Board of Management Meeting <b>24<sup>th</sup> November 2021</b>	John Nisbet	June Fenelon	Matters Arising: None.			<b>Meeting</b>	<b>Proposed</b>	<b>Seconded</b>	Special Board of Management Meeting <b>(CONFIDENTIAL)</b> <b>16<sup>h</sup> December 2021</b>	Janet Strang	Margaret Davison	Matters Arising: None.			<b>Meeting</b>	<b>Proposed</b>	<b>Seconded</b>	Special Board of Management Meeting <b>(CONFIDENTIAL)</b> <b>20<sup>th</sup> January 2022</b>	John Nisbet	Brenda Johnstone	Matters Arising: None.			<b>Meeting</b>	<b>Proposed</b>	<b>Seconded</b>	Finance & Corporate Services Sub Committee <b>(CONFIDENTIAL)</b> <b>9<sup>th</sup> December 2021</b>	Drew Hall	Elizabeth Shedden	Matters Arising: None.			<b>Meeting</b>	<b>Proposed</b>	<b>Seconded</b>	Finance & Corporate Services Sub Committee <b>(NON-CONFIDENTIAL)</b> <b>9<sup>th</sup> December 2021</b>	Drew Hall	Elizabeth Shedden	Matters Arising: None.		
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PRIORITY RED – SECTION 1 – STANDING ORDER ITEM AND GOVERNANCE ITEMS				ACTION
5.	Meeting	Proposed	Seconded	
	Audit Services Sub Committee (CONFIDENTIAL) 9 <sup>th</sup> December 2021	Drew Hall	John Nisbet	
	Matters Arising: None.			
	Meeting	Proposed	Seconded	
	Development Services Sub Committee (CONFIDENTIAL) 11 <sup>th</sup> November 2021	June Fenelon	John McLaren	
	Matters Arising: None.			
6.	Risk Management Monitoring /Review (CONFIDENTIAL) <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i> Given the letter of resignation received from French Duncan today, this will now be added to the risk register.			CEO
7.	Scheme of Delegation None.			
8.	Making Our Communities Better Places Fund (North & East Ayrshire) (CONFIDENTIAL) <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i>  The Group Chief Executive referred members to the previously circulated report for members to consider the funding requests received.  The Board of Management discussed the following applications in detail and agreed the following:  <b>The Scottish Centre for Personal Safety (TSCPS)</b> – Members noted the update received from TSCPS. After discussion it was agreed that the undernoted information is still required prior to the release of the funding of £1,000 approved at the meeting of 24/11/21.  <ul style="list-style-type: none"><li>• Confirmation from North Ayrshire Council that planning permission has been given to proceed with the proposed conversion of the lean-to storage area to a café.</li><li>• A tender has been received with details of actual costs once sufficient funding is received.</li><li>• Confirmation of the full amount of required funding has been awarded detailing who has made an award and the amount to allow the project to proceed.</li></ul>			

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<b>PRIORITY RED – SECTION 1 – STANDING ORDER ITEM AND GOVERNANCE ITEMS</b>		<b>ACTION</b>
<b>8.</b>	<p><b>Saltcoats Action Lifestyle Team (SALT)</b> – Members noted the update received from SALT. After discussion it was agreed that the undernoted information is still required prior to the release of the funding of £1,000 approved at the meeting of 24/11/21.</p> <ul style="list-style-type: none"> <li>Planning has been approved and procurement is commencing.</li> </ul> <p><b>1<sup>st</sup> Stevenston Boys Brigade</b> – approved award of £298.</p> <p>Board members requested clarification with regard to committed monies which have not been paid out in this financial year. Clarification will be sought with the finance department to ascertain if the approved funding can be accrued into the 2022/23 financial year marketing budget for release subject to all conditions being met by the applicants.</p> <p><b>Board members noted and agreed.</b></p>	<p><b>CEO</b></p> <p><b>CEO</b></p> <p><b>Dir F&amp;CS</b></p>
<b>9.</b>	<p><b>Making Our Communities Better Places Fund (Dumfries &amp; Galloway) (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>The Group Chief Executive referred members to the previously circulated report for members to consider the funding request received.</p> <p>The Board of Management discussed the following application in detail and agreed the following:</p> <p><b>Lockerbie Ice Rink</b> – approved award of £1,000 <b>Wigtown Festival Company</b> – approved award of £470</p> <p>The Group Chief Executive advised that an update will be provided in due course surrounding the Making Our Communities Better Places Larger Fund Projects. There is a lot of work involved to create an application form, scoring mechanism and criteria.</p> <p><b>Board members noted and agreed.</b></p>	<p><b>CEO</b></p> <p><b>CEO</b></p> <p><b>CEO</b></p>
<b>10.</b>	<p><b>Notifiable Events</b></p> <p>The Group CEO informed members that the resignation of the current external Auditor, French Duncan will be a notifiable event and the Scottish Housing Regulator will be notified.</p>	<b>CEO</b>
<b>11.</b>	<p><b>Secretary's Report</b></p> <p>The Secretary reported the following:</p>	

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<b>11.</b>	<p><b>Correspondence</b></p> <ul style="list-style-type: none"> <li>- An update was received from Kieran Walker, the young gymnast from Dalry.</li> <li>- An update was provided detailing the recent donations made to the North Ayrshire Foodbank and The Salvation Army (Saltcoats) Toy Appeal.</li> </ul> <p>The Board noted the content of the report.</p>	
<b>12.</b>	<p><b>Subsidiary Company Report (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>The Group Chief Executive referred members to the previously circulated report.</p> <p>The Board noted the content of the report, and the Group CEO advised an amended calendar invite would be issued to all CFRC Board of Directors for the 16<sup>th</sup> June 2022.</p>	CEO
<b>13.</b>	<p><b>EVH Report to Board Members</b></p> <p>The Chair informed members that the next EVH meeting is on Monday 7<sup>th</sup> February 2022 and will keep members updated with any discussion on pay negotiations for 2022/23.</p> <p>The Board noted.</p>	
<b>14.</b>	<p><b>Health &amp; Safety</b></p> <p>The Group CEO informed members that work continues within health and safety to ensure the safety of staff/tenants and keep buildings safe and secure.</p> <p>The Board noted.</p>	
<b>15.</b>	<p><b>Policies for Ratification</b></p> <p>The Group Chief Executive advised the Board the undernoted policy has been reviewed and the proposed minor changes are highlighted in red. He asked if there were any questions. No questions were asked.</p> <p><b>Health &amp; Safety Policy Statement – CEO001</b></p> <p><i>Proposed: Janet Strang                      Seconded: Margaret Davison</i></p>	
<b>16.</b>	<p><b>Development Programme Overview (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>The Group Chief Executive advised that no questions had been received from the Board prior to the meeting, however, the Group CEO did provide an update on development sites.</p>	

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<b>PRIORITY RED – SECTION 1 – STANDING ORDER ITEM AND GOVERNANCE ITEMS</b>		<b>ACTION</b>
16.	The Board noted.	

<b>PRIORITY RED – SECTION 2 – IMPORTANT ITEMS MUST BE TAKEN</b>		<b>ACTION</b>
18.	<p><b>Self-Assurance Action Plan Update (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>The Group Chief Executive referred members to the previously circulated report which provided them with an update on the Association's Self-Assurance Action Plan.</p> <p>The Group CEO informed members that the Self-Assurance Action Plan is progressing well and John Mulholland is due to present the self-assessment report against the Regulatory Standards to the June Board meeting which will be in a timely manner prior to submitting the Annual Assurance Statement to SHR in October.</p> <p><b>The Board noted the content of the report.</b></p>	<b>CEO</b>
19.	<p><b>Lease of Additional Office Accommodation</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>The Group Chief Executive referred members to the previously circulated report which provided them with details of proposed leasing of additional office accommodation at Invincible House, Harper Place, Ardrossan to house the expanded Direct Works Organisation. Previously, on 14<sup>th</sup> July 2021 the Board had approved the proposal to extend the Associations Direct Works Organisation and take the reactive maintenance contract in house. The Housing &amp; Property Services Committee of 27<sup>th</sup> October 2021 subsequently approved a lease arrangement with Invincible Fire and Security for the newly constructed premises at Bute Place in Ardrossan to accommodate the expanded Direct Works Organisation.</p> <p>The Group Chief Executive advised that Invincible currently have office space at Invincible House that they are willing to lease to the Association. This facility also has additional parking facilities for office staff which will free up the parking at Bute Place and ensure there is sufficient parking for tradesmen to load/unload vans as required. By leasing Invincible House this will save the Association money on fit out costs that would be incurred at Bute Place to accommodate office staff.</p> <p><b>The Board noted the content of the report and approved the recommendation to lease the additional office premises in Bute Place with terms to be agreed by the Group CEO.</b></p>	<b>CEO</b>

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<b>PRIORITY RED – SECTION 2 – IMPORTANT ITEMS MUST BE TAKEN</b>		<b>ACTION</b>
20.	<p><b>Dawn Robertson CHA HR Solicitor (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>The Group Chief Executive referred members to the previously circulated report which provided an update in relation to the Association's current HR Solicitor, Dawn Robertson.</p> <p>The Group Chief Executive informed members that CHA's current HR Solicitor, Dawn Robertson (formerly Rooney &amp; Nimmo) has now joined BTO Solicitors in Edinburgh as a Partner.</p> <p><b>The Board noted and agreed that the Association changes HR Solicitors from Rooney Nimmo to appoint BTO, Dawn Robertson as CHA's Employment Law Specialists with immediate effect.</b></p>	CEO
21.	<p><b>Barbara Black CHA Arrears and Tenancy Management Solicitor (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>The Group Chief Executive referred members to the previously circulated report which provided an update in relation to the Association's current Arrears and Tenancy Management Solicitor, Barbara Black.</p> <p>The Group Chief Executive informed members that CHA's current CHA Arrears and Tenancy Management Solicitor, Barbara Black (formerly Douglas Wright) has now joined Taylor &amp; Henderson as a Partner.</p> <p><b>The Board noted and agreed that the Association changes Arrears and Tenancy Management Advice from Douglas Wright to appoint Taylor &amp; Henderson, Barbara Black as CHA's Arrears and Tenancy Management Specialists with immediate effect.</b></p>	CEO
22.	<p><b>Quarterly Performance against Strategic Objectives (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>The Group Chief Executive referred members to the previously circulated report which detailed the Association's quarterly review of progress against its Strategic Objectives.</p> <p>The Group CEO and members both agreed the Association is performing exceptionally well and it is fantastic what has been achieved.</p> <p><b>The Board noted.</b></p>	

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23.	<p><b>Quarterly Performance against Workplan/Targets (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>The Group Chief Executive referred members to the previously circulated report which detailed the Association's quarterly review of progress against its workplan/targets for session 2021/22.</p> <p>The Group CEO and members both agreed the Association is performing well and on track against its workplan/targets for session 2021/22. Members queried the 'Procurement of Legal Services' as there was no date marked against this. The Group CEO confirmed to members that the paperwork had been done and that the 3 office bearers would be involved.</p> <p><b>The Board noted.</b></p>	<b>CEO Dir of DS</b>
24.	<p><b>Corporate Plan Yearly Review Timetable</b></p> <p>The Group Chief Executive referred members to the previously circulated report which provided a timetable for the annual review of the Corporate Strategy &amp; Plan.</p> <p>The Group CEO highlighted that the Corporate Plan is being reviewed at present and is similar to last years with scheduled reviews consisting of half days.</p> <p><b>The Board noted.</b></p>	
25.	<p><b>Risk Management Yearly Review Timetable</b></p> <p>The Group Chief Executive referred members to the previously circulated report which provided a timetable for the annual review of risks.</p> <p>The Group CEO informed members that the Association carried out their own risk review last year and asked members if they would like the Association to do so again this year or if the Association should seek an external review.</p> <p>After discussion, members agreed that it would be good governance for the Association to appoint an external organisation to review the risks for 2022 and would be good practice for this to be done alternate years.</p> <p><b>The Group CEO advised members he would source a potential organisation to carry out an external risk review and will keep everyone updated.</b></p>	<b>CEO</b>
26.	<p><b>DLO Recruitment and Update – verbal update (Confidential)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>The Group Chief Executive informed members that the adverts were now live on the Association's website and social media for the direct works staff; plumbers,</p>	

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<b>PRIORITY RED – SECTION 2 – IMPORTANT ITEMS MUST BE TAKEN</b>		<b>ACTION</b>
<b>26.</b>	<p>electricians, joiners and labourers. There has also been internal promotion of several staff as from 7<sup>th</sup> March 2022 contained within the budget and under delegated authority to newly created posts for CHA Direct Works; recognising that the Association helps develop and keep existing staff.</p> <p>The Group CEO informed members that the Association recently advertised for Administration staff in Dumfries &amp; Galloway and a total of 5 applications had been received. It was highlighted that there appears to be a change in culture towards the work that people in general may be seeking. Given the recent pandemic many organisations have reverted to home working or hybrid ways of working. Members commented that these ways of working are not always beneficial as an individual's mental health &amp; well being along with social interaction are important factors to consider.</p> <p>Members asked if the Association would be looking to create apprenticeship jobs under the new DLO and highlighted that there are many grants available. The Group Chief Executive confirmed it would be something the Association would possibly consider in the future once the DLO is up and running.</p> <p><b>The Board noted.</b></p>	

<b>PRIORITY ORANGE – SECTION 3 – ITEMS TO BE TAKEN, TIME PERMITTING</b>		<b>ACTION</b>
	None.	

<b>PRIORITY GREEN – SECTION 4 – ITEMS FOR INFORMATION ONLY</b>		<b>ACTION</b>
<b>27.</b>	<p><b>Board of Management Log of Electronic Signatures</b> The Board of Management noted the content of the report.</p>	
<b>28.</b>	<p><b>Media Marketing &amp; Publications</b> The Board of Management noted the content of the report.</p>	
<b>29.</b>	<p><b>Quarterly Policy Review Report</b> The Board of Management noted the content of the report.</p>	

The Meeting closed at 3.55 pm.

	<b>Signature</b>	<b>Date</b>
Approved to Proceed to Chairperson for Sign-Off:		
Approved for Circulation By:		
Proposed By:		
Seconded by:		